

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1-6 and 8-10 are being amended. Claim 7 is canceled without prejudice or disclaimer. New claims 11 and 12, based on original claims 3 and 4, respectively, are being added.

This amendment adds, changes and deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-12 are now pending in this application.

Claim objections

Claims 3 and 4 were objected to as being in improper multiple dependent form. This objection is obviated in light of the amendment to claims 3 and 4 to be in independent form.

Rejections under 35 U.S.C. §§ 102 and 103

Claim 7 stands rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,411,992 to Srinivasan et al. (hereafter "Srinivasan"). This rejection is moot in light of the cancellation of claim 7.

Claims 1, 5, 8 and 9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,699,107 to Lawler et al. (hereafter "Lawler"). Claims 2, 6 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lawlor in view of U.S. Patent No. 6,510,556 to Kusaba et al. (hereafter "Kusaba"). Applicants respectfully traverse these rejections based on Lawler for at least the following reasons.

The present invention of claim 1 is directed to a system that allows a client to view programs to be broadcast from a broadcasting station, where the broadcast from the broadcast station is recorded in a server of the system. In that regard, claim 1, as amended, recites “a recording process that receives said program data via a communication line or a broadcast line from a broadcast station and stores it in said first storage device”, and “a distribution registration process that receives said distribution application data for a program sent from the broadcast station, the program to be broadcast from the broadcast station in the future, via a communication device from the client terminal, carries out distribution registration, and stores this in said second storage device as said distribution registration data.” (Emphasis added). Lawlor does not suggest a system where a server receives distribution application data for a program sent from the broadcast station, where the program is to be broadcast from a broadcast station in the future, and the server records and stores program data from the broadcast for later distribution.

Lawlor discloses a program reminder system including a head end 12 that supplies programming over a network 14 to a number of viewer stations 16. The head end includes service and application servers 30 that process interactive service requests from subscribers (col. 4, lines 37-39), and continuous media servers 32 that provide storage of digitized video information (col. 4, lines 50-55). The head end may be provided with analog signals through an analog feed 40. Figures 5, 6 and 11, respectively show displays for “Current Show Options”, “Future Show Options” and “Past Show Options” where one of the options is a “Record Option”.

Lawlor, however, does not disclose or suggest as in claim 1, a system where a server receives distribution application data for a program sent from the broadcast station, where the program is to be broadcast from a broadcast station in the future, and the server records and stores program data from the broadcast. For the future broadcasts in Lawlor, i.e., for the “Future Show Options” of the display of Figure 6, the Lawlor system does not record any shows that will be broadcast from a broadcast station at the head end 12 for distribution to a viewer station 16. At best Lawlor suggests only that a viewer station may chose to order a current show (Fig. 5) or past show (Fig. 11) where the programming was recorded at the head end (col. 10, lines 27-44, col. 14, lines 7-19). While Lawlor discloses the head end 12 may

receive analog signals through feed 40, Lawlor does not suggest that any broadcast programs that may be received through the feed are recorded at the head end so as to be available to a viewer station where the viewer earlier requested the program to be recorded. For at least the above reasons, Lawlor does not render claim 1 unpatentable.

Kusaba does not cure the deficiencies of Lawlor. Kusaba is directed to a video distributing apparatus for storing video and distributing it to a viewer (abstract), but does not suggest that the system of Lawlor, which is directed to a program reminder system for interactive viewing (abstract), should be modified to achieve the invention of claim 1.

Independent claims 2, 5-6, and 8-10 have all been amended to recite "the program to be broadcast from the broadcast station in the future", "the programs to be broadcast from the broadcast station in the future" or "the programs to be broadcast from the broadcast stations in the future", and are thus patentable for reasons analogous to claim 1.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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